

### **REMARKS/ARGUMENTS**

Favorable reconsideration is respectfully requested in light of the amendments made above and the following comments. Claims 1-19, and 21-32 remain pending after entry of this amendment. Claims 1, 24, and 25 were amended herein; and claims 27-32 were added herein. Claim 24 was amended to correct an inadvertent typographical error. The amendments to claims 1 and 25 are supported at least at page 6, paragraph [0060], lines 6-9; page 6, paragraph [0066], lines 4-8; page 9, paragraph [0086], lines 12-18; page 11, paragraph [0109], lines 9-12; page 11, paragraph [0110], lines 7-10; and page 11, paragraph [0116], lines 6-9. Support for newly added claims 27, 29, and 31 can be found at least at figure 2 and the accompanying text at page 3, paragraph [0040]. Support for newly added claims 28, 30, and 32 can be found at least at page 5, paragraph [0059], lines 1-6; and page 11, paragraphs [0109], [0110], [0111], [0112], [0113], and [0116].

Applicant respectfully disagrees with all assertions made in the Office Action, including any and all statements not expressly addressed herein.

### **35 U.S.C. § 102 Rejection over Yamamoto**

Claims 1-4, 8, 9, 13, 17, 25, and 26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yamamoto (U.S. Patent No. 6,002,460). Applicant respectfully traverses this rejection.

As a preliminary matter Applicant continues to disagree that Yamamoto discloses a single film that includes the components recited in independent claims 1 and 25. One of ordinary skill in the art would understand what is intended by the word “film”. One of skill in the art would recognize that a film is considered to be flexible, and is often polymeric. A film can generally be processed via roll-to-roll processing. Yamamoto’s construction that includes two glass substrates would not be considered, by one of skill in the art, to be a film. Yamamoto itself refers to its device as a “polarizing plate” (column 1, lines 5-7; column 5, lines 10-11, numerous other mentions). Yamamoto itself distinguishes between a plate and a film by saying “since the polarizing plate does not have a thin film as an outermost layer” (column 5, lines 49-51). Plate and film are also used at numerous other places throughout Yamamoto (e.g. column 7, lines 63-65; column 8, lines 1-5). Clearly, Yamamoto considers

plates and films to be two different things, and, as one of skill in the art would understand, discloses a plate, not a film. Therefore, Applicant disagrees that Yamamoto discloses a single film having the recited elements, according to claims 1 and 25.

Furthermore, the Office Action asserts that element 12 of Yamamoto is equivalent to the polarization rotator element of claims 1 and 25. Although Applicant does not necessarily agree with this contention, Applicant has amended claims 1 and 25 to specify that the polarization rotator element has a set alignment. Even if element 12 of Yamamoto were equivalent to the polarization rotator element of claims 1 and 25, element 12 of Yamamoto certainly does not have a set alignment. Column 5, lines 14-35 and column 6, lines 21-42 discuss how the orientation of the liquid crystal layer 12 can be changed via the application of a voltage. A layer whose orientation can be changed via application of a voltage cannot be considered to have a set alignment as that term is known to one of skill in the art and used in independent claims 1 and 25.

Because Yamamoto does not disclose all of the elements of independent claims 1 and 25 (and therefore also claims 2-4, 8, 9, 13, 17, and 26), Applicant respectfully requests that this rejection be withdrawn.

### **35 U.S.C. § 102 Rejection over Kashima**

Claims 18, 19, and 21-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kashima (U.S. Patent No. 6,583,833). Applicant respectfully traverses this rejection.

Applicant respectfully asserts that Kashima does not disclose a single film that includes a polarization rotator element and a polarizer element, as is recited in both claims 18 and 21 (claim 21 also recites a retarder that is disclosed in a single film). The Office Action refers to Figure 1 of Kashima as showing that the polarizer element and the polarization rotator element are integrated into a single film. Applicant respectfully disagrees that Figure 1, or any other portion of Kashima discloses such a structure.

Column 12, lines 6-26 refers to a liquid-crystal device 10. One of skill in the art would not understand a device that includes numerous layers (e.g. bidirectional dichroic circular polarizers 18 and 22), liquid crystal layers (20) to be a film, as that term is known to one of skill in the art and used in claims 18 and 21. Kashima also discusses the fabrication of the device of Figure 1 as being a “laminated structure using a cholesteric liquid-crystal layer

as the circular polarization separating layer **14**, using an anti-ferroelectric liquid crystal layer as the half-wavelength layer **16**, using a nematic liquid crystal layer which substantially shifts the phase of light by  $0$  to  $\pi$  in the liquid crystal cell **20**, and uses a light-absorbing type of dichroic linearly polarizing layer with a  $\lambda/4$ -wavelength phase-shifting layer laminated there onto as the first and second bidirectional dichroic circular polarizing layers **18** and **22**". (column 38, lines 1-11). One of skill in the art would not understand such a fabrication method to provide a film; instead, consistent with Kashima, the method provides a device. At least because the device of Kashima is not a single film, as is recited in claims 18 and 21, it does not anticipate claims 18, 19, and 21-24.

### **35 U.S.C. § 103 Rejections**

Claims 5, 14, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto in view of Hansen (U.S. Patent No. 5,986,730). Applicant respectfully traverses this rejection.

Although Applicant does not necessarily agree with this rejection, Applicant has amended claim 1 (on which claims 5, 14, and 15 are dependent) to specify that the polarization rotator element has a set alignment. As discussed above, Yamamoto does not disclose at least this element and also does not disclose the elements being in a single film. Applicant asserts that Hansen fails to remedy at least these shortcomings of the main reference. At least because the combination of the references fails to teach or suggest all of the elements, Applicant respectfully requests that the rejection of claims 5, 14, and 15 be withdrawn.

Claims 6, 7, and 10-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto in view of Shingaki (EP 0487047). Applicant respectfully traverses this rejection.

Although Applicant does not necessarily agree with this rejection, Applicant has amended claim 1 (on which claims 6, 7, and 10-12 are dependent) to specify that the polarization rotator element has a set alignment. As discussed above, Yamamoto does not disclose at least this element and also does not disclose the elements being in a single film. Applicant asserts that Shingaki fails to remedy at least these shortcomings of the main reference. At least because the combination of the references fails to teach or suggest all of

the elements, Applicant respectfully requests that the rejection of claims 6, 7, and 10-12 be withdrawn.

Claim 16 is rejected under U.S.C. § 103(a) as being unpatentable over Yamamoto. Applicant respectfully traverses this rejection. Although Applicant does not necessarily agree with this rejection, Applicant has amended claim 1 (on which claim 16 is dependent) to specify that the polarization rotator element has a set alignment. As discussed above, Yamamoto does not disclose or suggest at least this element and also does not disclose the elements being in a single film. At least because the reference fails to teach or suggest all of the elements, Applicant respectfully requests that the rejection of claim 16 be withdrawn.

#### **Newly added claims**

With respect to newly added claims 27, 29, and 31, neither Yamamoto, Kashima, Hansen, Shingaki, nor any combination thereof disclose a polarization rotator element that is disclosed directly on a polarizer element. Specifically, the layer 12 (which is allegedly equivalent to the polarization rotator element) of Yamamoto is not disposed directly on the structure that is allegedly equivalent to the polarizer element 15. Instead, as seen in Figure 2 and discussed at least at column 4, line 57 - column 5, lines 4, the polarization rotator element is disclosed on a glass substrate. The device of Kashima, which allegedly discloses a polarizer element (19A associated with 18) and a polarization rotator element (19C associated with 22), has the polarization rotator element (19C/22) on a liquid crystal cell 20, as disclosed in Figure 2 and discussed at column 12. Similarly, Hansen and Shingaki also do not disclose such a structure. At least because the devices of Yamamoto, Kashima, Hansen, Shingaki, or any combination thereof do not disclose a film having a polarization rotator element that is disposed directly on the polarizer element, claims 27, 29, and 31 are not anticipated or obvious, and are therefore allowable.

With respect to newly added claims 28, 30, and 32, neither Yamamoto, Kashima, Hansen, Shingaki, nor any combination thereof disclose a polarization rotator element that is coated on a polarizer element. At least because the devices of Yamamoto, Kashima, Hansen, Shingaki, or any combination thereof do not disclose a film having a polarization rotator element that is coated on a polarizer element, claims 28, 30, and 32 are not anticipated, and are therefore allowable.

### CONCLUSION

In view of the above, Applicant respectfully requests withdrawal of the rejection and allowance of the claims. Prompt passage to issue is earnestly solicited. Should the Examiner feel a telephone interview would be helpful in advancing this case to allowance, Applicant invites the Examiner to contact their representative at the number listed below.

Please continue to send all future correspondence for this matter to:

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Respectfully submitted,

Dated: September 20, 2006

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